

1  
2  
3 **UNITED STATES DISTRICT COURT**

4 **DISTRICT OF NEVADA**

5 Ramon Morga,

Case No. 2:21-cv-01743-APG-BNW

6 Petitioner

v.

**Order**

7 Charles Daniels, et al.,

[ECF No. 26]

8 Respondents

9  
10 The scheduling order in this habeas case required the petitioner, Ramon Morga, to file his  
11 reply to the respondents' answer by May 1, 2023. ECF No. 25. While Morga failed to meet that  
12 deadline, I note that he filed a motion for a continuance that includes a request for me to  
13 reconsider my prior decision to deny appointment of counsel. ECF No. 26. I will not change my  
14 decision regarding appointment of counsel because Morga has not demonstrated that is entitled  
15 to discovery or an evidentiary hearing, or that his right to due process would be violated if he is  
16 not appointed counsel. *See Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986); *Weygandt v.*  
17 *Look*, 718 F.2d 952, 954 (9th Cir. 1983). I will, however, give Morga more time to file his reply.

18 I THEREFORE ORDER that Morga's "motion for continuance" [ECF No. 26] is  
19 GRANTED, in part, and DENIED, in part. Morga's request for appointment of counsel is  
20 denied, but he shall now have **until July 5, 2023** to file and serve his reply.

21 Dated: May 4, 2023

22   
23 U.S. District Judge Andrew P. Gordon